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December 31, 2020

VIA ECF

Hon. J. Paul Oetken
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Ramos et al.
20 Cr 29-4 (JPO)

Dear Judge Oetken:

This letter is respectfully submitted to on behalf of the defendant Carlos Alberto Ramirez, to seek the Court's help in ordering the United States Marshals Service to transmit a copy of the Court's judgment to the Bureau of Prisons ("BOP") via the "e-designate system" so that it can determine Mr. Ramirez's release date and his eligibility for release to a halfway house or home detention.

On October 20, 2020, Your Honor sentenced Mr. Ramirez to a term of imprisonment of eighteen months following his plea of guilty to participating in a narcotics conspiracy. Mr. Ramirez was arrested on December 15, 2019 and was remanded. He has now served slightly more than one year in custody. He has maintained a clear conduct record and is thus eligible for 54 days off his sentence for good behavior. Accordingly, at most, Mr. Ramirez has approximately four months left on his sentence. It is my understanding that Mr. Ramirez is currently eligible for release to either a halfway house or home confinement. Unfortunately, the Bureau of Prisons cannot determine his release date or consider his release to a halfway house or home confinement until it receives official notice of the judgment from the Marshals Service via the "e-designate system." On November 18, 2020, I contacted Nicole McFarland, counsel for the MDC about this issue and she contacted the Marshals Service, but apparently, she was unsuccessful in getting the Marshals to send the judgment to the BOP. A copy of my email exchange with Ms. McFarland is attached hereto for the Court's reference. I also contacted AUSA Dan Nessim to request the assistance of his Office, but his efforts have also been unsuccessful, as evidenced by the fact that as of today, Mr. Ramirez's release date does not appear on the BOP website and Mr. Ramirez has not been notified of his release date, nor has


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anyone discussed with him the possibility of his early release to a halfway house or home confinement.

In asking for the Court's assistance, Mr. Ramirez is not seeking any special favor or treatment. He is simply requesting that the Marshals Service be ordered to do what it is required to do and what it should have done two months ago, i.e., send a copy of the judgment, via the "e-designate system" to the BOP's computation center. Once that ministerial task is accomplished, the BOP can calculate Mr. Ramirez's release date and determine whether he should be released to a halfway house or home confinement.

Thank you in advance for your consideration of this application.

Respectfully submitted,


Avraham C. Moskowitz

cc: AUSA Dan Nessim (by email)

The United States Marshals Service is directed to promptly send a copy of the judgment in this case to the BOP via the "e-designate" system, if it has not already done so.

So ordered: 1/11/2021


J. PAUL OETKEN

United States District Judge

From: Nicole McFarland <nmcfarland@bop.gov>
Sent: Wednesday, November 18, 2020 9:46 AM
To: Avraham C. Moskowitz
Subject: Re: carlos alberto ramirez

Hi Avraham-

A quick look does not show that we received this J&C. The Marshals need to send it via e-designate to our computation center. I have forwarded it as a courtesy, but they need to get the official copy from the Marshals.

Nicole

>>> "Avraham C. Moskowitz" <AMoskowitz@mb-llp.com> 11/18/2020 9:40 AM >>>

Nicole,

I am writing to you on behalf of my client, carlos alberto Ramirez, inmate #87592-054. Mr. Ramirez was arrested and incarcerated on December 15 2019 on drug charges. He pled guilty and on 10/20/20 was sentenced to 18 months incarceration by judge oetken in sdny. A copy of his judgment is attached. Since his sentencing, Mr. Ramirez has been trying to learn what his release date is and whether he can be released to a halfway house or to home confinement, but neither his counselor nor case manager has provided him with any information. Can you please let me know how he and I can learn his scheduled release date and what, if anything he can do to qualify to release to a halfway house or to home confinement? Given the amount of time that he has earned in good time, he should be eligible for release to a halfway house or home confinement in the near future. Thanks in advance for ay help that you can provide.

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